UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	No. 1:12-cr-80
v.)	
)	Collier / Lee
DARIEN HOUSTON)	

<u>ORDER</u>

The Court conducted a hearing on June 19, 2013 on the *pro se* motion of Defendant DARIEN HOUSTON ("Defendant") for substitute counsel [Doc. 66]. Present for the hearing were:

- 1. AUSA Chris Poole for the USA.
- 2. Defendant.
- 3. Attorney Paul Bergmann for Defendant.

Defendant was advised of his privilege against self-incrimination and duly sworn according to law. Defendant explained his reasons for seeking substitute counsel. While Defendant's stated reasons for not trusting his appointed counsel appear completely meritless, the Court relies on counsel's assessment that there has been a breakdown in communications affecting the ongoing defense of Defendant. Counsel for the Defendant asked to be relieved from the appointment and the Government asserted no objection to appointing substitute counsel upon the attorney's request. Therefore, Defendant will be allowed an opportunity to work with another appointed attorney. Accordingly, the *pro se* motion for substitute counsel [Doc. 66] is **GRANTED**.

It is hereby **ORDERED** that Attorney Paul Bergmann be relieved from further legal representation of Defendant. Attorney Frederick L. Ortwein is hereby appointed as substitute appointed counsel for Defendant.

SO ORDERED:

ENTER.

SI Gusan K. LEE

UNITED STATES MAGISTRATE JUDGE